

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

INDECK KEYSTONE ENERGY LLC,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 04-325 Erie
)	
VICTORY ENERGY OPERATIONS)	Judge Sean J. McLaughlin
LLC,)	
)	
Defendant)	

ORDER

AND NOW, this _____ day of April, 2007, the Defendant's Motion for Ruling That IKE is Judicially Estopped From Arguing That Designs and Drawings for "Non-Standard" Boilers Were Provided to VEO Under the License Agreement is granted and this Court hereby orders that Plaintiff is barred from referencing or attempting to introduce evidence that VEO received drawings or design information for any boiler other than Keystone M-Series boilers with tangent tube furnace walls, tangent tube outer walls, refractory front walls and tube and tile rear walls, under the confidentiality provisions of the License Agreement.

Sean J. McLaughlin
United States District Judge